## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:    Richard H. Harvey, et al.

Serial No.:    10/648,595

Filing Date:    August 25, 2003

Group Art Unit:    2164

Examiner:    Alicia M. Lewis

Confirmation No.:    4259

Title:    WEB SERVICES APPARATUS AND METHODS


**Mail Stop Notice of Appeal**
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Dear Sir:


## PRE-APPEAL BRIEF REQUEST FOR REVIEW

The following Pre-Appeal Brief Request for Review is being filed in accordance with the provisions set forth in the Official Gazette Notice of July 12, 2005 ("OG Notice"). Pursuant to the OG Notice, this Request is being filed concurrently with a Notice of Appeal. Applicants respectfully request reconsideration of the rejection of all claims in the Application.


In the prosecution of the present Application, the PTO's rejections and assertions contain clear errors of law. Most notable of the legal errors present in the examination of the Application is a failure of the Final Office Action (the *"Final Office Action"*) to establish a prima facie rejection of at least independent Claims 1 and 8 and dependent Claims 7 and 14. In this Pre-Appeal Brief Request for Review, Applicants request panel review of independent Claims 1 and 8 and dependent Claims 7 and 14, which are rejected in the *Final Office Action* as being obvious over U.S. Patent Application Publication No. 2006/0059107 issued to Elmore et al. (*"Elmore"*) in view of U.S. Patent Application Publication No. 2004/0002955 issued to Gadbois et al. (*"Gadbois"*), and further in view of U.S. Patent Application Publication No. 2008/0109897 issued to Moran et al. (*"Moran"*).

I.   The proposed *Elmore-Gadbois-Moran* combination does not disclose, teach, or suggest "matching a distinguished name associated with the user and at least a portion of the distinguished name associated with the object" and "providing the user access to the object in response to matching the distinguished name associated with the object and the distinguished name associated with the user"

As at least a first point of error, the rejections of independent Claims 1 and 8 and dependent Claims 7 and 14 are deficient at least because the proposed *Elmore-Gadbois-Moran* combination does not disclose, teach, or suggest "matching a distinguished name associated with the user and at least a portion of the distinguished name associated with the object" and "providing the user access to the object in response to matching the distinguished name associated with the object and the distinguished name associated with the user." In the *Office Action*, the Examiner acknowledges that the recited claim elements are not disclosed in *Elmore* in view of *Gadbois*. (*Final Office Action*, page 3). It is the Examiner's position, however, that the additional disclosure of *Moran* discloses Applicants' "matching" and "providing" steps. (*Final Office Action*, page 3). Applicants respectfully disagree.

*Moran* discloses that "Access Control Lists (ACLs) are used to describe the permitted actions (permissions) on protected network computer system resources or objects associated with a client or user identity." (*Moran*, Abstract). Specifically, *Moran* discloses that an "Authorization Service (21) uses a central database that lists all resources in the secure domain and the ACL and POP policies assigned (attached) to each resource." (*Moran*, page 3, paragraph 60). According to *Moran*, "[t]his master authorization policy (31) database and the user registry (containing user and group accounts) are the key components that help define a network security policy." (*Moran*, page 3, paragraph 60). *Moran* further discloses that the "ACL policy is made up of one or more entries that include user specific permissions or rights." (*Moran*, page 3, paragraph 62). "ACL policies provide the Authorization Service with information to make a "yes" or "no" answer on a specific request to access a protected object, and to perform some operation on that object." (*Moran*, page 3, paragraph 62). An example ACL is shown in Figure 5 and merely includes "user and group designations, and their specific permissions." (*Moran*, page 4, paragraph 70). Thus, *Moran* merely relates to storing in a central database a list that identifies a user by user name and associates with the user name the objects that the user has permission to access.

For modification of an object by a user, *Moran* discloses:

When a client or user initially requests permission to perform an action on a protected object, such as requesting to "read" or "modify" a protected system file, the client's ID is first authenticated by the authentication service. This results in a set of credentials being created, including the authenticated user's ID or user name, a list of user groups to which the user may belong, the name of the protected object being requested, and the action being requested. For example, the credentials and authorization request for Bill Smith of ABC Corporation . . . attempting to "modify" a protected system file "ABC_401k_summaries" may contain parameters such as:

B_Smith, ABC_employees, "modify", "ABC_401k_summaries".

(*Moran*, page 3, paragraphs 46-47).   After the creation of the credentials and authorization request, *Moran* discloses that the "user ID From the authenticated credentials is matched (91) with the requested protected object's ACL entries." (*Moran*, page 6, paragraph 115). Thus, according to the disclosure of *Moran*, the Authorization Service receives a user request identifying a user by a user name and a requested object. Then, "the userID from the authenticated credentials is matched (91) with the requested protected object's ACL entries." (*Moran*, page 6, paragraph 115). Thus, the Authorization Service looks up the user name in the ACL, which is stored in a centralized database. "The permissions granted (93) are those in the matching entry or entries." (*Moran*, page 6, paragraph 115).

Accordingly, the "matching" referred to in *Moran* merely includes identifying a list associated with an object and then determining if a user's name is on that list. Thus, at most *Moran* discloses matching the name of a requested object with the name an associated ACL list. A determination is then made as to whether the user requesting the operation is included in the list. Applicants respectfully submit that accessing a list that includes a user name and a user object to which that user has access is not analogous to "matching a distinguished name associated with the user and **at least a portion of the distinguished name associated with the object**" and "providing the user access to the object in response to matching **the distinguished name associated with the object** and the distinguished name associated with the user," as recited in Claims 1 and 8 and dependent Claims 7 and 14. There is no disclosure in *Moran* that one would be able to match the name of the user with at least a portion of the name of the object. In fact, and as discussed above, *Moran* actually discloses the credentials and authorization request for Bill Smith of ABC Corporation . . . attempting to "modify" a protected system file "ABC_401k_summaries" merely include "B_Smith, ABC_employees, "modify", "ABC_401k_summaries". Thus, the name of the user is "Bill Smith" or

"B_Smith" and the name of the file is "ABC_401k_summaries." The name of the file "ABC_401k_summaries" does not include the name of the user and cannot be matched with "B_Smith." Accordingly, *Moran* and the proposed *Elmore-Gadbois-Moran* combination does not disclose, teach, or suggest "matching a distinguished name associated with the user and **at least a portion of the distinguished name associated with the object**" and "providing the user access to the object in response to matching **the distinguished name associated with the object** and the distinguished name associated with the user," as recited in Claims 1 and 8 and dependent Claims 7 and 14.

For at least these reasons, Applicants request reconsideration and allowance of independent Claims 1 and 8 and dependent Claims 7 and 14.

II.     **The proposed *Elmore-Gadbois-Moran* combination does not disclose, teach, or suggest "providing a Distinguished Name of an object revealing a chain of ownership and control for the object"**

As at least a second point of error, the rejections of dependent Claims 7 and 14 are deficient at least because the proposed *Elmore-Gadbois-Moran* combination does not disclose, teach, or suggest "providing a Distinguished Name of an object revealing a chain of ownership and control for the object." In the *Office Action*, the Examiner acknowledges that the recited claim elements are not disclosed in *Elmore*. (*Final Office Action*, page 6). It is the Examiner's position, however, that the additional disclosure of *Gadbois* discloses Applicants' steps recited in Claims 7 and 14. (*Final Office Action*, page 6). Applicants respectfully disagree.
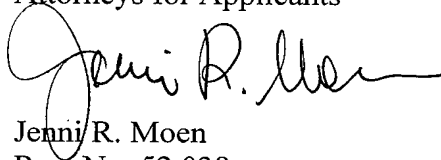
*Gadbois* discloses that within a DIT, "[a] first tier or set of nodes coupled to the host node include a set of nodes representative of organizations." (*Gadbois*, page 3, paragraph 27). Beneath the organization nodes, the DIT includes "a number of interior sub-nodes which contain further information, or links to further information, regarding the respective organization." (*Gadbois*, page 3, paragraph 28). As illustrated in Figure 2, these sub-nodes include "Groups," "Business Services," and "Publisher Assertions" associated with the Organization. However, while *Gadbois* discloses that nodes are organized by organization, there is no disclosure in *Gadbois* that a name of an object reveals the chain of ownership and control for the object. For example, there is no disclosure that the Distinguished Names of each of "Groups," "Business Serves," or "Publisher Assertions" specifically reveal the ownership and control for those objects. In fact, *Gadbois* is silent as to the naming of the

sub-nodes. Accordingly, *Gadbois* and the proposed *Elmore-Gadbois-Moran* combination does not disclose, teach, or suggest **"providing a Distinguished Name of an object revealing a chain of ownership and control for the object,"** as recited in Claims 7 and 14.

## CONCLUSION

For the reasons discussed above, Applicants respectfully contend that the proposed *Elmore-Gadbois-Moran* combination is deficient with respect to at least independent Claims 1 and 8 and dependent Claims 7 and 14. As the rejections of at least these claims contain clear deficiencies, Applicants respectfully request a finding of allowance of independent Claims 1 and 8 and dependent Claims 7 and 14. To the extent necessary, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts LLP.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorneys for Applicants

Jenni R. Moen
Reg. No. 52,038
(214) 953-6809

Date: September 16, 2008

**Correspondence Address:**

at Customer No. **05073**